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VIA ECF

Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street, Courtroom 23A
New York, New York 10007

**Re: *United States of America v. Menendez, et al.*,
Dkt. No. 23-cr-490-SHS**

Dear Judge Stein:

We write with respect to the Government's letter motion filed earlier today, requesting that the Court hold a hearing pursuant to *United States v. Curcio*, 680 F.2d 881 (2d Cir. 1982). ECF No. 52. As we indicated at this week's status conference, we do not object to the Government's request. Indeed, we had been in discussions with the Government regarding such a hearing, in an effort to narrow and address the Government's concerns.

Of course, we reserve all rights with respect to the underlying merits of the issues described in the Government's letter motion, which may require briefing if, after the hearing, the Government wishes to file a motion to disqualify. In any event, however, as previously stated on the record, we remain ready, willing and able to work with the Government on this issue, including by way of deriving an appropriate list of questions for a *Curcio* hearing, and then proceeding promptly to such a hearing consistent with the Court's and counsel's schedules. Oct. 2, 2023 Tr. at 15:6-25.

We thank the Court for its time and kind consideration of this matter.

Respectfully,

s/ Lawrence S. Lustberg
Lawrence S. Lustberg

cc: All counsel of record (via ECF)